

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**COOPER TIRE AND RUBBER CO.**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO.: 3:02CV210-SA-JAD**

**JOHN BOOTH FARESE, et. al**

**DEFENDANTS**

**PROTECTIVE ORDER**

**IT IS ORDERED** that, in connection with the punitive damages discovery propounded by Plaintiff, Cooper Tire & Rubber Company, Defendants John Booth Farese, Farese, Farese, Farese, P.A., Bruce Kaster, and Bruce Kaster, P.A., shall produce in good faith to Randall A. Smith, Counsel for Plaintiff, any and all documents identified in the Court's Order Granting in Part and Denying in Part Plaintiff's Objections to Magistrate's Order on Motion to Compel Defendants' Responses to Punitive Damages Discovery [649] and that any such documents produced by them in this case shall be marked as being produced subject to this Protective Order.

In addition, the following shall apply to such confidential materials produced to Smith & Fawer, LLC:

- A. These confidential materials shall not be reproduced except as necessary to prosecute this cause by Plaintiff.
- B. These confidential materials shall not be available for inspection by anyone, except:
  - 1. Personnel employed by Smith & Fawer, LLC;
  - 2. One Certified Public Accountant designated by Smith & Fawer, LLC.Before counsel allows any such person to view confidential materials,

counsel must first obtain the signature of such person on a copy of this Order and transmit same to opposing counsel and the Court.

3. Any judge and/or jury having jurisdiction in this matter.
- C. The substance of any information obtained from these confidential materials shall not be disseminated to anyone not authorized to examine these confidential materials.
- D. Any notes, lists, memoranda, indexes or compilations prepared or based upon any examination of these confidential materials shall be subject to this Protective Order and shall not be disseminated to anyone not authorized to examine these confidential materials.
- E. At the conclusion of this case, these confidential materials and any notes, lists, memoranda, indexes or compilations regarding same shall be given to the Court to destroy.

**SO ORDERED** this the 19<sup>th</sup> day of December, 2008.

**s/ Sharion Aycock**  
**U.S. DISTRICT JUDGE**

APPROVED BY:

---

**Randall A. Smith, T.A. (La. Bar No. 2117)**  
**Tiffany Hawkins Davis (La. Bar No. 20855)**  
Of  
**SMITH & FAWER, LLC**  
201 S. Charles Avenue  
Suite 3702  
New Orleans , LA 70170  
Telephone: (504) 525-2200

-and-

**Hiawatha Northington**  
Of  
**SMITH & FAWER, LLC**  
744 Avery Boulevard North, Suite C  
Ridgeland, Mississippi 39157  
Telephone: (601) 899-8726

-and-

**Paul Cassisa, Jr.** (Miss. Bar No. 5921)  
Of  
**BERNARD, CASSISA, ELLIOT & DAVID, APLC**  
1727 University Avenue  
Oxford, Mississippi 38655  
Telephone: (662) 234-7236

**Counsel for Plaintiff,  
Cooper Tire and Rubber Company**

---

**Guthrie T. Abbot**  
235 St. Andrew Circle  
Oxford, Mississippi 38655  
Telephone: (662) 234-6056

-and-

**Ralph E. Chapman**  
**Dana J. Swan**  
Of  
**CHAPMAN, LEWIS & SWAN**  
P.O. Box 428  
Clarksdale, Mississippi 38614-0428  
Telephone: (662) 627-4105

**Counsel for Defendants, John Booth Farese, and  
Farese, Farese & Farese, P.A.**

---

**Frank S. Thackston, Jr.**  
Of  
**LAKE TINDALL, LLP**  
P.O. Box 918  
Greenville, Mississippi 38702-0918  
Telephone: (662) 378-2121

-and-

**Grady F. Tollison, Jr.**  
Of  
**TOLLISON LAW FIRM. P.A.**  
P.O. Box 1216  
Oxford, Mississippi 38655-1216  
Telephone: (662) 234-7070

**Counsel for Defendants, Bruce R. Kaster and  
Bruce R. Kaster, P.A.**